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DUPLICATES

THE
STATUTES OF CALIFORNIA

PASSED AT THE

EXTRA SESSION OF THE FORTY-FIRST LEGISLATURE

1916

BEGAN ON WEDNESDAY, JANUARY FIFTH, AND ENDED ON TUESDAY,
JANUARY ELEVENTH, NINETEEN HUNDRED AND SIXTEEN



STATES OF CALIFORNIA

CALIFORNIA
STATE PRINTING OFFICE
1916

1900-1901

1900-1901

PROCLAMATION BY THE GOVERNOR

CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

EXECUTIVE DEPARTMENT,
STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened,

Now, therefore, I, HIRAM W. JOHNSON, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of article V of the Constitution, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Wednesday, the fifth day of January, one thousand nine hundred and sixteen, at two o'clock P. M. of that day, for the following purposes and to legislate upon the following subjects, to-wit:

1. To amend the Direct Primary Law relating to nominations of candidates for public office, approved June 16, 1913, so that the same shall provide for the nomination by electors, political parties and organizations of electors of candidates for public office in such manner as to conform to other existing election laws, and thereby enable electors registered pursuant to such existing laws to participate in nominating such candidates thereunder.

2. To amend sections 3, 6, and 9 of the Presidential Primary Act, approved April 28, 1915, so that electors registered pursuant to existing laws may participate in nominating candidates for delegates thereunder; and to add a new section to such act calling and providing for a presidential primary election to be held on the second day of May, 1916.

3. To authorize the board of trustees of the San Francisco State Normal School to select a new site for said school upon the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition, or any corporation representing or acting for or in conjunction with said exposition, and, in event of such selection of said new site, provide for and authorize the sale or exchange of the present site of said normal school and the disposition of improvements thereon.

To provide for and authorize said Board of Trustees to acquire by purchase, gift, condemnation, or otherwise all necessary lands, buildings, improvements, and equipment for such school, and, for this purpose, to authorize the condemnation of publicly or privately owned lands and improvements; to provide for and authorize the city and county of San Francisco to abandon and close streets, or portions of streets, within and about the site so selected and to transfer title thereto for the use of said state normal school; and to provide for and authorize the use, in connection with such site, of State lands adjacent thereto.

To provide for the disposition of any proceeds of the Panama-Pacific International Exposition accruing to the State from the Panama-Pacific International Exposition Company through the operation of said exposition, or otherwise, or of any money or property that may be due to or be given to the State by said exposition company or its directors, to make appropriations thereof, and to authorize the board of trustees of the state normal school, or any official or officials of the State, to accept property for or on behalf of the State in full or partial settlement of the claims of the State to its proportion of such proceeds, or money or property.

4. To consider and act upon an amendment to the act of the Legislature of the State of California entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending its provisions so as to authorize and provide for the use of said Balboa Park for exposition purposes during the years 1916 and 1917; and to do what may be deemed appropriate or necessary in relation to the Panama-California International Exposition of San Diego.

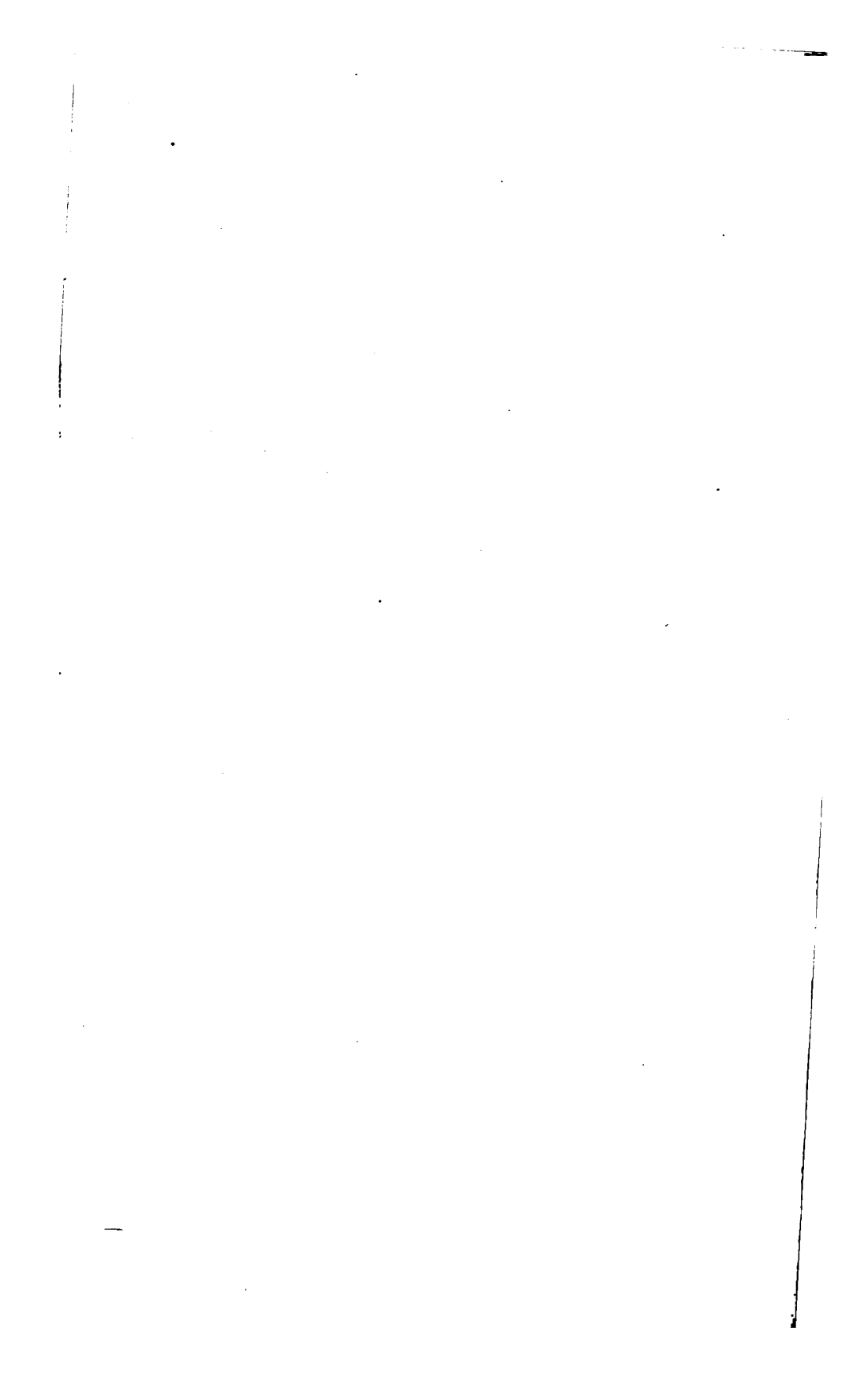
In witness whereof I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol this first day of January, in the year of our Lord one thousand nine hundred and sixteen.

[SEAL]

HIRAM W. JOHNSON,
Governor.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.



REFERENDUM MEASURES.

Legislative acts adopted at forty-first session of the California Legislature, 1915, and referred to the electors of the State at special election held October 26, 1915, by referendum petitions filed with the Secretary of State under provisions of State Constitution, section 1, article IV.

NOT APPROVED BY ELECTORS.

Number
on the
General
Election
Ballot

- 1—DIRECT PRIMARY LAW. See Chapter 135, Statutes of 1915.
- 2—FORM OF BALLOT LAW. See Chapter 136, Statutes of 1915.
(These Acts were not approved by electors and are ineffective.)

CONSTITUTIONAL AMENDMENTS.

Adopted by the Legislature, forty-first session, 1915, and rejected by vote of electors at the special election, October 26, 1915.

Number
on the
General
Election
Ballot

- 3—TERM OF SUPERIOR JUDGES—
Senate Constitutional Amendment 2. See Chapter 47, Statutes of 1915.
- 4—TERM OF JUDGES FILLING VACANCIES—
Senate Constitutional Amendment 11. See Chapter 34, Statutes of 1915.
- 5—RURAL CREDITS—
Senate Constitutional Amendment 17. See Chapter 42, Statutes of 1915.
- 6—DEPOSIT OF PUBLIC MONEYS—
Senate Constitutional Amendment 19. See Chapter 43, Statutes of 1915.
- 7—INITIATIVE AND REFERENDUM—
Senate Constitutional Amendment 22. See Chapter 44, Statutes of 1915.
- 8—CONDEMNATION FOR PUBLIC PURPOSES—
Senate Constitutional Amendment 27. See Chapter 45, Statutes of 1915.
- 9—TAXATION—
Senate Constitutional Amendment 38. See Chapter 46, Statutes of 1915.
- 10—EXEMPTING PROPERTY FROM TAXATION—
Assembly Constitutional Amendment 15. See Chapter 33, Statutes of 1915.
- 11—COUNTY CHARTERS—
Assembly Constitutional Amendment 34. See Chapter 41, Statutes of 1915.

STATUTES OF CALIFORNIA

PASSED AT THE

EXTRA SESSION OF THE FORTY-FIRST LEGISLATURE.

CHAPTER 1.

An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

SECTION 1. Section one of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, is hereby amended to read as follows:

Section 1. Words and phrases where used in this act shall, Definitions: unless such construction be inconsistent with the context, be construed as follows:

1. The words "primary election," any and every primary "Primary election." nominating election provided for by this act.

Definitions:

"August
primary
election."

2. The words "August primary election," the primary election held in August to nominate candidates to be voted for at the ensuing November election or to elect members of a party central committee or delegates to a party convention.

"May
presidential
primary
election."

3. The words "May presidential primary election," any such primary election, held in May of each year of the general November election at which electors of president and vice president of the United States are to be chosen, as shall provide for the indication of preference in the several political parties for party candidates for president of the United States through the election of delegates to national party conventions.

"Election."

4. The word "election," a general state, county, city or city and county election as distinguished from a primary election, recall election, or special election.

"November
election."

5. The words "November election," either the presidential election, or the general state, county, or city and county election held in November of each even numbered year.

"Judicial
officer."

6. The words "judicial officer," any justice of the supreme court, justice of a district court of appeal, judge of the superior court, justice of the peace, or justice of such inferior court as the legislature may establish in any county, township, incorporated city or town, or city and county; and the words "judicial office," the office filled by any of the above judicial officers.

"School
officer."

7. The words "school officer," the superintendent of public instruction and the superintendent of schools of a county or city and county; and the words "school office," the office filled by any of the above school officers.

"County
officer."

8. The words "county officer," any officer elected within the boundaries of any county or city and county, except a member of the state senate or assembly or a member of the house of representatives of the congress of the United States or a member of any party county central committee or delegate to a state convention from a hold-over senatorial district; and the words "county office," the office filled by any county officer. The words "township officer," any such county officer as is elected within the boundaries of any judicial township that is now or may be hereafter provided by law; and the words "township office," the office filled by any township officer.

"Political
party."

9. The word or words "political party," "party," "political organization," or "organization," a political party or organization of electors which has qualified, as hereinafter provided, for participation in any primary election; and such party or organization shall be deemed to have so qualified when one or both of the following conditions have been complied with:

Three per
cent of
state vote.

(a) If at the last preceding November election there was polled for any one of its candidates who was the candidate of such party only for any office voted on throughout the state, at least three per cent of the entire vote of the state, or for any one of its candidates who was the joint candidate of such

party and any other party for any office voted on throughout the state, at least six per cent of the entire vote of the state; or

(b) If on or before a date which shall be the fiftieth day before any primary election, there shall be filed with the secretary of state a petition signed by registered qualified electors of the state, equal in number to at least three per cent of the entire vote of the state at the last preceding November election, declaring that they represent a political party or organization the name of which shall be stated therein, which party said electors desire to have participate in such primary election; such petition to be circulated, signed, and the signatures thereon of the registered electors certified to and transmitted to the secretary of state by the county clerks substantially as provided in section five of this act, for the circulation, signing, certification, and transmission of nomination papers for state officers; *providing, however*, that no electors or organization of electors shall assume a party name or designation which shall be so similar to the name of an existing party or organization as to mislead voters. Petition.

This statute shall be liberally construed, so that the real will of the electors shall not be defeated by any informality or failure to comply with all the provisions of this law. Liberally construed.

In each county and city and county in this state, having a registrar of voters or registrar of voters and a board of election commissioners, the powers conferred and the duties imposed in this statute upon a county clerk and his deputies, and other officers, in relation to matters of election and polling places, shall be exercised and performed by such registrar of voters or his deputies, or registrar of voters or his deputies and board of election commissioners; and all nominating papers, list of candidates, expenses, and oaths of office, required by this statute to be made to county clerks, shall be filed with the registrar of voters. Registrar of voters.

SEC. 2. Section two of said act is hereby amended to read as follows:

Sec. 2. All candidates nominated at a primary election for elective public offices shall be nominated by direct vote at such election held in accordance with the provisions of this act; *provided*, that electors of president and vice president of the United States shall be nominated as provided in subdivision two of section twenty-four of this act. This act shall not apply to recall elections or to special elections to fill vacancies; nor to the nomination of officers of municipalities, counties, or cities and counties whose charters provide a system for nominating candidates for such officers; nor the nomination of officers for any district not formed for municipal purposes; nor to the nomination of freeholders to be elected for the purpose of framing a charter; nor to the nomination of officers for cities of the fifth and sixth classes, nor to the nomination of school district officers. Exemptions.

SEC. 3. Section four of said act is hereby amended to read as follows:

Notice of election.

SEC. 4. 1. At least forty days before the time of holding the August primary election in 1916 and biennially thereafter, the secretary of state shall prepare and transmit to each county clerk and to the registrar of voters in any city and county a notice in writing designating all the offices, except township offices, for which candidates are to be nominated at such primary election, together with the names of the political parties qualified to participate in such election.

Publication of notice.

2. Within ten days after receipt of such notice such county clerk or registrar of voters in any city and county shall publish once in each week for two successive weeks in not more than two newspapers published in such county or city and county so much thereof as may be applicable to his county, including a statement of the township offices in the county for which candidates are to be nominated, and a statement of the number of members of the county central committee to be elected by each political party in each supervisorial or assembly district, as the case may be, according to the provisions of subdivision four of section twenty-four of this act.

3. In the case of primary elections other than the August primary elections the city clerk or secretary of the legislative body of the political subdivision for which such primary election shall be held shall cause one publication of such notice to be given, such publication to be not more than forty and not less than fourteen days before such primary election.

SEC. 4. Section five of said act is hereby amended to read as follows:

Nomination papers.

SEC. 5. 1. The name of no candidate shall be printed on an official ballot to be used at any primary election unless at least forty days prior to the primary election, if the candidate is to be voted for at the August primary election or the May presidential primary election, and at least twenty-five days prior to the primary election, if the candidate is to be voted for at a primary election other than the August or May primary election, a nomination paper nominating such candidate shall have been prepared, circulated, signed, verified and left with the county clerk for examination, or for examination and filing, in the manner provided by this act.

Verification deputies.

2. (a) The candidate may appoint verification deputies to serve within the county or city and county in which such deputies reside in securing signatures to his nomination paper for nomination to the office for which he is a candidate, and the verification deputies thus appointed shall be recognized as the duly authorized verification deputies to secure signatures to the nomination paper of such candidate in such county or city and county. The document in which such verification deputies are appointed as herein provided shall be filed with the county clerk of the county or city and county in which such verification deputies reside, at or before the time the nomination paper of the candidate is left with the county clerk for filing or for examination as provided in subdivision four

of this section. Said document shall be in substantially the Form. following form:

I, the undersigned, a candidate for the ---- party nomination for the office of ----, which nomination is to be made by direct vote at a primary election to be held on the ---- day of August, 19--, do hereby appoint the following registered qualified electors of the county of ----, as verification deputies to obtain signatures in said county to a nomination paper placing me in nomination as a candidate of said ---- party for said office of ----.

VERIFICATION DEPUTIES.

Name.	Residence.
-----	-----
-----	-----
-----	-----
-----	-----
-----	-----
etc.	etc.

(Signature) -----

(Residence) -----

Filed in the office of the county clerk of ---- county this ---- day of ----, 19--.

-----, County Clerk.

By -----, Deputy.

In case it is desired to appoint additional verification deputies to secure signatures to the nomination paper of such candidate, one or more similar documents may be filed to supplement the first document. When the office for which the candidate is proposed is a judicial office, school office, county office, or township office, the words "---- party," and the words "of said ---- party," shall be omitted from said document. Or, as an alternative to the foregoing portion of this section and subdivision, verification deputies may be appointed in behalf of a candidate as follows:

2. (b) Any five qualified electors of any county or city and county may join in proposing a candidate for nomination to any office to be voted on in such county or city and county at the next ensuing primary election, and in appointing verification deputies to serve within such county or city and county in securing signatures to the nomination paper of such candidate for such office. If the office is an office the candidate for which is to be voted on in more than one county, he may be proposed for nomination as herein provided by five of the registered qualified electors in each of the counties in which such electors may desire to circulate a nomination paper in his behalf. The signatures of the said five qualified electors shall be verified free of charge before any officer authorized to administer an oath, and the document containing such signatures shall be filed with the county clerk of the county or city and county in which said five qualified electors reside, at or before the time the nomination paper of the candidate is left with the county clerk or registrar of voters for filing or for

Electors may
propose
candidate.

In case it is desired to appoint additional verification deputies to secure signatures to the nomination paper of said candidate, one or more similar documents may be filed, to supplement the first document. When the office for which the candidate is proposed is a judicial office, school office, county office, or township office, the provisions of this subdivision shall apply, except that the five qualified electors shall make no statement of their intention as to party affiliation and may affiliate with different parties or with no party; and the candidate proposed for nomination shall not be so proposed as the candidate of any party.

Supplementary documents.

3. Verification deputies appointed as provided in subdivision two of this section to obtain signatures to the nomination paper of any candidate for any office to be voted for at any primary election, may, at any time not more than seventy days nor less than forty days prior to such election, obtain signatures to such nomination paper of such candidate for such office; *provided*, that prior to primary elections other than August primary elections or May presidential primary elections, signatures may be obtained not more than forty nor less than twenty-five days prior to such election. Each signer shall declare that at the ensuing primary election it is his intention to affiliate with the party for nomination by which he is proposing the candidate, and that he has not signed a nomination paper for any candidate of any other party for such primary election, nor a nomination paper for any other candidate for the same office. He shall also declare his intention to support such candidate for nomination, and shall add his place of residence, giving his street and number if any. His election precinct shall also appear on the paper just preceding his name, and he shall write the date of his signature at the end of the line just after his residence. Any nomination paper may be presented in sections, but each section shall contain the name of the candidate and the name of the office for which he is proposed for nomination. Each section shall bear the name of the city or town, if any, and also the name of the county or city and county, in which it is circulated, and only qualified electors of such county or city and county shall be competent to sign such section. Any section circulated within any incorporated city or town shall be signed only by registered qualified electors of such city or town. Each section shall be prepared with the lines for signatures numbered, and shall have attached thereto the affidavit of the verification deputy who has obtained signatures to the same, stating that all the signatures to the attached section were made in his presence, and that to the best of his knowledge and belief, each signature to the section is the genuine signature of the person whose name it purports to be; and no other affidavit thereto shall be required. The affidavit of any verification deputy obtaining signatures hereunder shall be verified free of charge by any officer authorized to administer an oath. Such nomination paper so

When signatures may be obtained.

Party declaration.

Sections of nomination papers.

Affidavit of deputies.

Papers
collected.Form of
nomination
papers.

verified shall be prima facie evidence that the signatures thereto appended are genuine and that the persons signing the same are registered qualified electors, unless and until it is otherwise proven by comparison of such signatures with the affidavits of registration in the office of the county clerk or registrar of voters. Each section of the nomination paper, after being verified, shall be returned by the verification deputy who circulated it to one of the five electors by whom the said verification deputy was appointed; and in this manner all the sections circulated in any county shall be collected by said five electors of that county and shall be by them arranged for filing or for examination, as provided in subdivision four of this section. In case said verification deputy was appointed directly by the candidate according to the provisions of subdivision two (a) of this section, the collecting and arranging of the sections of the nomination paper shall be done by the candidate, or on his behalf, instead of by the "five electors" as hereinbefore provided. Each section of the nomination paper shall be in substance as follows:

County of ----, city (or town) of ---- (if any).

Nomination paper of ----, candidate for ---- party nomination for the office of ----.

STATE OF CALIFORNIA, }
County of ----- } ss.

SIGNER'S STATEMENT.

I, undersigned, am a qualified elector of the city (or town) of ----, county of ----, State of California; and I hereby nominate ---- who resides at No. -- street, city of ----, county of ----, State of California, as a candidate for the nomination of the ---- party for the office of ---- to be voted for at the primary election to be held on the ---- day of August, 19--. I have not signed the nomination paper of any other candidate for the same office, and I further declare that I intend to support for such nomination the candidate named herein.

I furthermore declare that I intend to affiliate with said ---- party at the next ensuing primary election, and that I have not signed the nomination paper of this candidate, or any other candidate for office, as candidate of any other party at such primary election.

No.	Precinct	Signature	Residence	Date
1	-----	-----	-----	-----
2	-----	-----	-----	-----
3	-----	-----	-----	-----
4	-----	-----	-----	-----
5	-----	-----	-----	-----
etc.	-----	-----	-----	-----

VERIFICATION DEPUTY'S AFFIDAVIT.

I, -----, solemnly swear (or affirm) that I have been appointed according to the provisions of section five of the

direct primary law, as a verification deputy to secure signatures in the county of ----- to the nomination paper of ----- as candidate for the nomination of the ----- party for the office of -----; that all the signatures on this section of said nomination paper, numbered from one to ----- inclusive, were made in my presence, and that, to the best of my knowledge and belief, each of said signatures is the genuine signature of the person whose name it purports to be.

(Signed)-----

Verification Deputy.

Subscribed and sworn to before me this -- day of ---, 19---

(SEAL)

Notary Public (or other official).

In the case of a nomination paper for any candidate for a judicial office, school office, county office, or township office, the provisions of this subdivision shall apply, except that no such nomination paper nor any section thereof shall contain the name of any political party with which any signer thereto intends to affiliate, nor shall the candidate be referred to as a candidate for the nomination of any party. Judicial, etc.
papers.

In case two or more persons are to be elected to the same office at the same election, an elector may sign the nomination papers of as many persons as there are persons to be elected to such office, and such act on the part of such elector shall not be deemed in conflict with the signer's statement herein provided. Number of
papers
elector may
sign.

4. Prior to the filing of a nomination paper for any candidate, the sections thereof must be numbered in order and fastened together by cities or towns or portions of the county not included in such cities or towns, substantially in the manner required for the binding of affidavits of registration by the provisions of section eleven hundred thirteen of the Political Code; *provided*, that the sections of the nomination paper may be preceded by an index of precincts, arranged by cities, towns or outside territory in the numerical or alphabetical order of such precincts for each such city, town or outside territory and showing after the name or number of such precinct the numbers of the sections on which the names of the electors registered in such precinct are to be found, and after the number of each section, the number (in parenthesis) of times such names are to be so found on such section. Such index shall be in substantially the following form: Arrangement
of sections
for filing.

CITY OF-----

No. of Precinct.	Numbers of Sections Containing Voters of Precinct.			
1-----	1 (3 times)	2 (5 times)	3 (7 times)	etc.
2-----	1 (4 times)	2 (0 times)	3 (6 times)	etc.
etc-----		etc.		

TOWN OF-----

etc.

etc.

And provided, further, that for all nominations of candidates to be voted for in more than one county, or throughout the entire state, the nomination papers, properly assembled, may be consolidated and fastened or bound together by counties; but in no case shall nomination papers signed by electors of different counties be fastened or bound together. The county clerk or registrar of voters of any county or city and county shall examine all nomination papers herein provided for which purport to have been signed by electors of his county or city and county, and shall disregard and mark "not sufficient" any name appearing on such paper or papers which does not appear in the same handwriting on an affidavit of registration in his office. Such officer shall affix to all nomination papers a certificate reciting that he has examined the same and stating the number of names signed thereto which have not been marked "not sufficient" as hereinabove provided. All nomination papers which by this act are required to be filed in the office of the secretary of state, shall be left with the county clerk or registrar of voters for examination, as above provided, at least forty days prior to the August primary election or the May presidential primary election, and shall, with such certificate of examination attached, within five days after being so left, be forwarded by such county clerk or registrar of voters to the secretary of state, who shall receive and file the same. The verification of signatures to nomination papers shall not be made by the candidate, nor by any county clerk, or registrar of voters, nor by any of the deputies in the office of such county clerk or registrar of voters, nor within one hundred feet of any election booth, polling place, or any place where registration of electors is being conducted. Each candidate on or before the thirty-fifth day prior to the August primary election or the May presidential primary election, shall file in the place where his nomination paper is required to be filed, as provided in section six of this act, his affidavit, stating his residence, with street and number, if any; his election precinct; that he is a qualified elector in the election precinct in which he resides; the name of the office for which he desires to be a candidate; and that if nominated he will accept such nomination and not withdraw, and that he will qualify as such officer if nominated and elected; and he shall also make the statement required in subdivision five of section six of this act. Nothing in this act contained shall be construed to limit the rights of any person to become the candidate of more than one political party for the same office upon complying with the requirements of this act, but no person shall be entitled to become a candidate for more than one office at the same election.

County clerk
to examine
papers.

Time for
filing.

Who may
not verify
signatures.

Candidate's
affidavit.

Candidate
of more
than one
party.

Number of
signers
required.

5. Except in the case of a candidate for nomination to a judicial office, school office, county office, or township office, nomination papers shall be signed as follows: If the candidate is the candidate for an office to be voted on throughout the state, by not less than one-half of one per centum and not more than two per centum of the vote constituting the basis of

percentage as defined in subdivision six of this section, of the party of the candidate seeking nomination, within the state; if the candidate is the candidate for an office to be voted on in some political subdivision of the state, but not throughout the state, by not less than one per centum nor more than two per centum of the vote constituting the basis of percentage, as defined in subdivision six of this section, of the party of the candidate seeking nomination within said political subdivision in which such candidate seeks nomination.

6. Except in case of a candidate for nomination to a judicial office, school office, county office, or township office, the basis of percentage in each political party shall be the vote polled for such party's candidate for United States senator, at the last preceding November election at which a United States senator was elected, in the state or in that political subdivision for which the candidate is proposed for nomination. Such party's candidate for United States senator may have been the candidate, either of the party alone, or of the party in conjunction with one or more other parties. But if such political party did not have any candidate for United States senator at such last preceding November election at which a United States senator was elected, the nomination paper must be signed by not less than one-half of one per centum nor more than two per centum of the total vote polled for all the candidates for United States senator, at such last preceding November election in the state or political subdivision for which the candidate is proposed for nomination.

7. Whenever by rearrangement of political subdivisions of the state by any legislature, board of supervisors or other legislative body, the boundaries of such political subdivisions are changed, the highest vote polled by each party in each of the new political subdivisions shall be determined as follows: If the change occurs wholly within any county or city and county, the county clerk or registrar of voters of such county or city and county shall determine as nearly as possible the highest vote of each party in the new political subdivision by adding together for each party the highest vote in each of the former precincts which now are combined to make up such new political subdivision. If the change occurs outside the limits of any county or city and county, the secretary of state shall determine the highest vote of each party in such new political subdivision by adding together for each party the highest vote in the counties which now are combined to make up such new political subdivision. In the same way that the highest vote for each party in each new political subdivision is ascertained, shall also be ascertained the total vote, as is required to be determined by the provisions of subdivision nine of this section.

8. Nothing herein shall be construed as prohibiting the independent nomination of candidates as provided by section one thousand one hundred eighty-eight of the Political Code; except that a candidate who has filed nomination papers as one

of the candidates for nomination to any office on the ballots of any political party at a primary election held under the provisions of this act, and who is defeated for such party nomination at such primary election, shall be ineligible for nomination as an independent candidate for the same office at the ensuing general election; and no person shall be permitted to file nomination papers for a party nomination and an independent nomination for the same office, or for more than one office at the same election. Nor shall any person whose name has been written in upon any ballot or ballots for any office at any primary election, have his name placed upon the ballot as a candidate for such office at the ensuing general election, except under the provisions of section one thousand one hundred eighty-eight of the Political Code, unless at such primary election he shall have received for such office votes equal in number to the minimum number of signatures to the nomination paper which would have been required to be filed to have placed his name on the primary ballot as a candidate for nomination to such office.

Signers
required for
judicial, etc.
office.

9. In the case of a candidate for nomination to a judicial office, school office, county office, or township office, nomination papers shall be signed by not less than one-half of one per centum, nor more than two per centum of the total vote cast at the last general election in the state or political subdivision thereof in which such candidate for judicial or school, county, or township office seeks nomination.

Officer's
record.

10. The officer with whom nomination papers are filed shall keep a record in which he shall enter the names of every person presenting the same for filing, the name of the candidate, the title of the office, the party, if any, and the time of filing.

SEC. 5. Section seven of said act is hereby amended to read as follows:

Filing fees.

Sec. 7. 1. A filing fee of fifty dollars shall be paid to the secretary of state by each candidate for state office or for the United States senate, except as otherwise provided in this section.

2. A filing fee of twenty-five dollars shall be paid to the secretary of state by each candidate for representative in congress or for any office, except member of state senate and assembly, to be voted for in any district comprising more than one county.

3. A filing fee of ten dollars shall be paid to the secretary of state by each candidate for the state senate or assembly.

4. A filing fee of ten dollars shall be paid to the county clerk or registrar of voters in any city and county when the nomination paper or papers and affidavit of any candidate to be voted for wholly within one county or city and county are filed with such county clerk or registrar of voters.

5. A filing fee of ten dollars shall be paid to the city clerk or secretary of the legislative body of any municipality when the nomination paper or papers and affidavit of any candidate for a city office are filed with such clerk or secretary of such legislative body.

6. No filing fee shall be required from any person to be voted for at the May presidential primary election, or from any candidate for an office to the holder of which no compensation is required to be paid, or for township offices the compensation to the holder of which does not exceed the sum of nine hundred dollars per annum. Filing fees.

7. In no case shall the secretary of state, county clerk, or city clerk, place the name of any candidate on the ballot or certify any such name to be placed thereon until the requisite filing fee has first been paid.

8. When a person for whom a nomination paper has not been filed is nominated for an office by having his name written on a primary election ballot, he must pay the same filing fee that would have been required if his nomination paper had been filed; otherwise his name must not be printed on the ballot at the ensuing general election. When name is written in.

9. When a candidate for nomination to office is proposed for nomination by more than one political party, he must pay a separate filing fee for each party in which he is proposed for nomination; or if, having filed a nomination paper for one party, he is nominated by another party by having his name written on a primary election ballot, he must pay the same filing fee for such other party nomination that would have been required if his nomination paper for such other party had been filed; otherwise his name shall not be printed on the general election ballot as the nominee of such other party. Candidate of more than one party.

10. The secretary of state, county clerk or city clerk with whom the nomination papers of any candidate are filed pursuant to the provisions of this act shall, if the same be found sufficient, unless the filing fee therefor has been paid, forthwith notify such candidate in writing of the filing of such nomination papers and demand payment of the required filing fee. Filing fee not paid.

SEC. 6. Section nine of said act is hereby amended to read as follows:

Sec. 9. The expense of providing all ballots, blanks, rubber stamps, colored pencils, and other supplies necessary to be used at any primary election according to the provisions of this act and all expenses necessarily incurred in the preparation for or the conduct of such primary election shall be paid out of the treasury of the city, city and county, county or state, as the case may be, in the same manner, with like effect and by the same officers as in the case of general elections. Election supplies.

SEC. 7. Section ten of said act is hereby amended to read as follows:

Sec. 10. At least thirty days before any August primary election preceding a November election or before any May presidential primary election the secretary of state shall transmit to each county clerk or registrar of voters a certified list containing the name and post office address of each person for whom nomination papers have been filed in the office of such secretary of state, including the candidate for delegate to a state convention, if any, from a "hold-over senatorial List of candidates transmitted.

List
published
by county
clerk.

district" and who is entitled to be voted for in such county at such primary election, together with a designation of the office for which such person is a candidate and except in the case of a judicial office, or a school office of the party or principle he represents. Such county clerk or registrar of voters shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office (except a judicial office or a school office) which appears upon the certified list transmitted by the secretary of state as hereinbefore provided, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices in the office of the secretary of state, and also the names of all candidates for the county central committee, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each judicial office, school office, county office, and township office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the secretary of state or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated. It shall be the duty of the county clerk or registrar of voters in any city and county to cause such publication to be made once each week for two successive weeks prior to said primary election.

SEC. 8. Section twelve of said act is hereby amended to read as follows:

Form of
ballot.

Sec. 12. 1. All voting at primary elections shall be by ballot. On all ballots provided for use at an August primary election, the columns on the left hand side of the ballot shall be used as party columns, the first column being occupied by the names of candidates for nomination by one party, the next column for another party, and so on. These party columns shall be separated from one another by a heavy double line or rule. Every political party entitled to participate in the August primary election, shall appear separately in one of these party columns (the column being headed by the name of the party), provided such party has any candidate for any office whose nomination paper has been filed according to the provisions of this act. The order of the offices under each party designation shall be as follows: first, "Congressional," including the groups of names for United States senator in congress, if any, and for representative in congress; next, under the heading "State" shall be printed the groups of names of candidates for state offices, except judicial and school offices, and for members of the state board of equalization. In elections when state officers are not to be nominated, this heading shall be omitted; next, under the heading "Legislative"

Order of
offices.

shall be printed the groups of names for state senator, if any, for member of assembly, and for election as delegate to the state convention from a hold-over senatorial district, if any. Finally under the heading "County Committee" shall be printed the names of the candidates for election to membership in the county central committee of the party. The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the first assembly district; and thereafter for each succeeding assembly district, the party column appearing first in the last preceding assembly district shall be placed last, the order of the other party columns remaining unchanged. Each elector shall be entitled to vote for the candidates for office who are proposed for nomination in that party with which he shall declare his affiliation at the time he receives his ballot, and for no other party candidates except as he may write in the names of such other candidates in the blanks provided for that purpose. If he does not express a desire to affiliate with any party he shall not be entitled to vote at such primary election for the nomination of any candidates for any of the offices appearing in these party columns; but he shall be entitled to vote for candidates for all judicial, school, county, and township offices, whether he expresses a desire to affiliate with any party or not.

Arrangement of party names.

For whom elector may vote.

2. To the right of these party columns shall be a solid black line, extending down from the printed lines separating the instructions to voters from the lists of names of candidates to the bottom margin of the ballot. In the case of a primary election for the nomination of candidates to be voted for at a presidential or general state election, the order of precedence for the columns to the right of this solid black line shall be as follows, that is to say: Under the heading "Judicial" shall be printed all the names of candidates for judicial offices, in the order of chief justice supreme court, associate justices supreme court, judge of district court of appeals, judge of superior court, justice of the peace and other judicial officers, if any. Next, under the heading "School" shall be printed all the names of candidates for school offices in the order of state superintendent of public instruction and county superintendent of schools. Next, under the heading "County" shall be printed the groups of candidates for all county and township offices except judicial or school offices. In the case of primary elections where nominations are to be made for only a portion of these offices, at the right of the solid black dividing line there may be only one column. The tally sheets furnished to election officers shall have the names of offices and candidates arranged in the order in which said names of offices and candidates are printed on the ballots according to the provisions of this section. In the case of primary elections for the nomination of candidates for city, city and county or municipal offices only, the order of precedence shall be determined by the legislative body of such city or municipality or by the board of election commissioners of any such city and county.

Order of columns to right of black line.

Judicial.

"School."

"County."

Tally sheets.

City officers.

Arrangement
of groups of
names.

3. The group of names of candidates for nomination for any judicial, school, county, or township office shall include all the names receiving the requisite number of signatures on nomination papers for such office; but the groups of names of candidates for office appearing on the ballots under the head of each political party shall comprise only the names of candidates for nomination by such party. If any candidate is nominated to fill out a short term office as distinguished from another candidate on the same ballot nominated for a full term of the same office, the words "short term" or "full term," as the case may be, shall be printed below the title of such offices on the ballot, preceding the respective groups of names of candidates.

Official
ballots.

4. It shall be the duty of the county clerk of each county to provide printed official ballots to be used at any August primary election or May presidential primary election. It shall be the duty of the city clerk to provide printed official ballots for any primary election held within the municipality of which he is an officer for the purpose of nominating candidates to be voted on therein at a municipal election. Such official ballots shall be printed upon official paper furnished in the manner provided by section one thousand one hundred ninety-six of the Political Code, and such ballots to be used at any August primary election, shall be in the form hereinafter provided. The names of all candidates for the respective offices for whom nomination papers have been duly filed shall be printed thereon.

Heading on
ballot.

5. Across the top of the primary election ballot shall be printed in heavy faced gothic capital type, not smaller than forty-eight point, the words: "Official primary election ballot," providing that on any primary ballot less than four columns in width said words may be printed in heavy faced gothic capital type not smaller than twenty-four point. Beneath the heading "Official primary election ballot," shall appear in heavy faced gothic capital type, the name of the county in which the ballot is being used; and at least three-eighths of an inch below the name of the county shall appear the supervisor district, providing there are no more than five assembly districts in the county, or the assembly district, providing there are more than five assembly districts in the county; the word "district" to be followed in either case by a semicolon and the date of the primary election. At least three-eighths of an inch below the district designation and the date of the primary election shall be printed in ten-point black gothic type,

Name of
county.

Instructions
to voters.

double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (X) in the square at the *right* of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose; and it is optional, but not necessary, to stamp a cross after such name. Vote for candidates of that party only which is not marked 'cancelled' by the election officer; but vote for candidates for any or all of the non-partisan offices."

6. The instructions to voters shall be separated from the lists of candidates by one heavy and one light line or rule. The names of the candidates and the respective offices shall, except as may be hereinafter otherwise provided, be printed on the ballot in parallel columns, each two and one-quarter inches wide. The first columns of the ballot to the left of the solid black line shall each be headed by the name of a party printed in heavy faced gothic capital type; and to the right of the solid black line shall appear in similar type the heading "Non-partisan Offices." These headings shall all be printed directly under the heavy and light line or rule, and shall be separated from the lists of candidates by a single line or rule.

Names of candidates.

Non-partisan offices.

7. The order in which the list of candidates for any office shall appear upon the primary election ballot shall be determined as follows:

Determination of order of candidates.

(a) If the office is an office the candidates for which are to be voted on throughout the entire state, including United States senator in congress, the secretary of state shall arrange the names of all candidates for such office in alphabetical order for the first assembly district; and thereafter for each succeeding assembly district, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged. If the office is that of representative in congress, or member of the state board of equalization, or is an office the candidates for nomination to which are to be voted on in more than one county or city and county, but not throughout the entire state, except the office of state senator or assemblyman, or delegate to the state convention from a hold-over senatorial district, the secretary of state shall arrange the names of all candidates for such office in alphabetical order for that assembly district which is lowest in numerical order of any assembly district in which such candidates are to be voted on; and thereafter for such succeeding assembly district in which such candidates are to be voted on, the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged. In transmitting to each county clerk or registrar of voters the certified list of names as required in section ten of this act, the secretary of state shall certify and transmit the list of candidates for nomination to each office according to assembly districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one assembly district, he shall transmit separate lists for each assembly district. Except for the office of state senator or assemblyman, the order in which the names filed with the secretary of state shall appear upon the ballot, shall be for each assembly district the order as determined by the secretary of state in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

Throughout state.

(b) If the office is an office to be voted on throughout, but wholly within, one county or city and county, except the office

Within one county.

of representative in congress, member of the state board of equalization, state senator or assemblyman, or delegate to the state convention from a hold-over senatorial district, the county clerk of such county or the registrar of voters of such city and county, shall arrange the names of all candidates for such office in alphabetical order for the first supervisor district; and thereafter for each supervisor district, the name appearing first for each such office in the last preceding supervisor district shall be placed last, the order of the other names remaining unchanged; *provided*, there are no more than five assembly districts in such county, or city and county. If there are more than five assembly districts in such county, or city and county, the county clerk or registrar of voters shall so arrange on the ballot the order of names of all candidates for such office that they shall appear in alphabetical order for that assembly district in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding assembly district in such county, or city and county, the name appearing first for each office in the last preceding assembly district shall be placed last, the order of the other names remaining unchanged.

State
senator, etc.

(c) If the office is that of state senator or assemblyman, or delegate to the state convention from a "hold-over senatorial district," or member of a county central committee, or any office except the office of representative in congress to be voted on wholly within any county or city and county but not throughout such county or city or county, the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

Municipal
office.

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

Order in
publication
of names.

8. In publishing the names and addresses of all candidates for whom nomination papers have been filed, as required in section ten of this act, the county clerk or registrar of voters shall publish the names in the order in which they will appear upon the ballot; *provided*, that in counties or cities and counties containing more than five assembly districts the order of names of candidates shall be that of the assembly district in such county or city and county which is lowest in numerical order, and that, in all other counties, the order shall be that of the first supervisor district.

"Vote for
one," etc.

9. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "Vote for one" or "Vote for two" or more according to the number to be elected to such office at the ensuing election. Such designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy faced gothic type, not smaller than ten point. The word or words designating the office shall be printed flush with the left-hand margin and the words "Vote for one" or "Vote for two" or more, as the case may be, shall

ed in
type.

OFFICIAL PRIMARY ELECTION BALLOT

**Eighth Congressional District
Seventeenth Senatorial District
Forty-Eighth Assembly District
Third Supervisorial District of Monterey County**

lot on
the leaf.

State
senator

Municipal
office.

Order of
publication
of name

"Vote
one," e.

extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line.

10. The names of the candidates shall be printed on the ballot without indentation, in roman capital type not smaller than eight point, between light lines or rules, not less than one-quarter nor more than three-eighths of an inch apart. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or rules, not less than one-quarter nor more than three-eighths of an inch apart, as there are to be candidates nominated for such office. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square not less than one-quarter nor more than three-eighths of an inch square. Each series of groups shall be headed by the word "Congressional," "State," "Legislative," "Judicial," "School," "County," or "Municipal" or other proper general classification, as the case may be, printed in heavy faced gothic capital type, not smaller than twelve point. All official primary election ballots to be used at any August primary election shall have printed on the back and immediately below the center thereof, in eighteen-point gothic capital type, the words "Official primary election ballot," and underneath these words the respective numbers of the congressional, senatorial and assembly districts in which each ballot is to be voted. If there are no more than five assembly districts in the county, there shall also be added the name of the supervisor district and of the county, as follows: "----- supervisor district of ----- county."

The ballot shall be printed on a single leaf with a stub and separated therefrom by a perforated line across the top of the ballot. On each ballot a perforated line shall extend from top to bottom one-half inch from the right hand side of such ballot, and upon the half-inch strip thus formed there shall be no printing except the number of the ballot which shall be on the back of each strip, in such position that it shall appear on the outside when the ballot is folded. The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county; *provided*, that the sequence of numbers on such official ballots and stubs shall begin with the number one. The official ballots shall be made up in stub books, each book to contain ten, or some multiple of ten ballots, in the manner provided by law for official election ballots, and except as to the order of the names of candidates shall be printed in substantially the following form:

[Face of ballot on insert.]

Names
printed in
roman type.

Ballot on
single leaf.

SEC. 9. Section thirteen of said act is hereby amended to read as follows:

Sample
ballot.

Sec. 13. At least twenty days before the August primary election or before the May presidential primary election each county clerk or registrar of voters in every county or city and county shall prepare a sample ballot, placing thereon in the order provided by law, and under the appropriate title of each office, the names of all candidates for whom nomination papers with the requisite number of "sufficient" signatures have been duly filed with him, or have been certified to him by the secretary of state, to be voted for at the primary election in his county or city and county. Such sample ballot shall be printed on paper of a different color and texture from the paper to be used on the official ballot, and shall be mailed to each voter entitled to vote at such August primary election not more than twenty nor less than seven days before the election. The county clerk, on or before the first day on which sample ballots are mailed to the voters, shall mail a copy to each candidate for whom nomination papers have been filed with him or whose name has been certified to him by the secretary of state, to the post office address as given in such nomination paper or certification, and he shall post a copy of such sample ballot in a conspicuous place in his office. Before such primary election the county clerk shall cause the official ballot to be printed as provided in section twelve of this act, and distributed in the same manner and in the same quantities as provided in sections one thousand one hundred ninety-eight, one thousand one hundred ninety-nine and one thousand two hundred one of the Political Code for the distribution of ballots for elections. In the case of primary elections for the nomination of candidates for city offices it shall be the duty of the city clerk, or such other officer charged by law with the duty of preparing and distributing the official ballots used at elections in such city or municipality, to prepare and mail the sample ballot and to prepare and distribute the official primary election ballots, and so far as applicable the provisions of this act shall apply to the nomination of all candidates for city offices.

Mailed to
voters.

SEC. 10. Section sixteen of said act is hereby amended to read as follows:

Challenging
electors.

Sec. 16. Any elector offering to vote at a primary election may be challenged by any elector of the city, county and county or county, upon either or all of the grounds specified in section one thousand two hundred thirty of the Political Code, but his right to vote the primary election ticket of the political party with which, on receiving his ballot, he declares his intention to affiliate, shall not be challenged on any ground or subjected to any tests other than those provided by the constitution and section one thousand two hundred thirty of the Political Code of this state, except on the ground of his having previously declared his intention to affiliate with another political party at such primary election, such declaration having been expressed at the time of his signing the nomination paper of a candidate of such other party.

SEC. 11. Section seventeen of said act is hereby amended to read as follows:

Sec. 17. Any elector qualified to take part in any primary election, who has, at least thirty days before the day of such primary election, qualified by registration, as provided by section one thousand ninety-six of the Political Code, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinabove provided; and on writing his name or having it written for him on the roster, as provided by law for general elections in this state, he shall likewise write or have written upon the roster the name of the political party with which he intends to affiliate in voting for candidates for office at the next ensuing November election. He shall then, in an audible tone of voice, declare to the election officer from whom he receives his ballot the name of such political party with which he intends to affiliate, and the clerk whose duty it is, according to law, to write the name of the elector on the poll list, shall also write opposite such name the name of said political party with which the elector declares it his intention to affiliate. At the August primary election, the election officer having charge of the ballots, before giving him his ballot, shall write with ink, or, with a stamp provided for the purpose, stamp the word "Cancelled" across the tops of the party columns, and shall draw a blue pencil line down the middle of such columns, which are headed by the names of all the political parties except that with which the elector thus declares his intention to affiliate, and the elector shall be entitled to vote only for candidates for nomination to offices printed or written in under the name of such party as is not thus marked "Cancelled." If the voter does not express a desire to affiliate with any party, he need not write, or declare, or have written the name of any political party, and in such case the election officer shall write or stamp the word "Cancelled" and draw the blue line across the names of all candidates for nomination to office in the party columns, and the elector shall not be entitled to vote for any such candidates. No one shall be entitled to vote at any primary election who has not been a resident of the state one year, of the county ninety days, and of the precinct thirty days, next preceding the day upon which such primary election is held. The voter shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

SEC. 12. Section nineteen of said act is hereby amended to read as follows:

Sec. 19. When a voter has stamped his ballot he shall fold it so that its face shall be concealed and only the printed designation on the back thereof shall be visible, and hand the same to the member of the board in charge of the ballot box. Such

Voting,
declaration
of party,
etc.

Cancellation
of party
columns.

Voter need
not declare
party.

Instructing
voter.

Folding
ballot.

folded ballot shall be voted as ballots are voted at general elections, and the name of the voter checked upon the affidavit of registration as having voted.

SEC. 13. Section twenty-one of said act is hereby amended to read as follows:

Canvass of
votes.

Sec. 21. As soon as the polls are finally closed the judges must immediately proceed to canvass the votes cast at such primary election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed and the result thereof declared. Except as herein-after provided, the canvass shall be conducted, completed and returned as provided by sections one thousand two hundred fifty-four, one thousand two hundred fifty-five, one thousand two hundred fifty-six, one thousand two hundred fifty-seven, one thousand two hundred fifty-eight, one thousand two hundred fifty-nine, one thousand two hundred sixty, one thousand two hundred sixty-one, one thousand two hundred sixty-two, one thousand two hundred sixty-three, one thousand two hundred sixty-four, one thousand two hundred sixty-four a, one thousand two hundred sixty-five, one thousand two hundred sixty-six, one thousand two hundred sixty-seven, and one thousand two hundred sixty-eight of the Political Code of this state; *provided, however*, that the board of election shall count all the votes cast for each party candidate for the several offices and record the same by parties on the tally lists; and count all the votes on all the ballots for the candidates for judicial, school, county, and township offices, and record the same on the tally lists; *and provided, also*, that no vote shall be counted for any party candidate unless stamped or written in the column of that party which the voter was entitled to vote; and all votes written in such column shall be counted only as cast for the nomination of such candidate as the candidate of the party whose name appears at the head of the column.

SEC. 14. Section twenty-two of said act is hereby amended to read as follows:

Canvass of
returns.

Sec. 22. The board of supervisors of each county, the board of election commissioners in any city and county, or, in the case of a city or municipal primary election, the officers charged by law with the duty of canvassing the vote at any city or municipal election in such political subdivision, shall meet at the usual place of such meeting, or at any other place permitted by law, at one o'clock in the afternoon of the first Thursday after each primary election to canvass the returns, or as soon thereafter as all the returns are in. When begun the canvass shall be continued until completed, which shall not be later than six o'clock in the afternoon of the sixteenth day following such primary election. The clerk of the board must, as soon as the result is declared, enter upon the records of such board a statement of such result, which statement shall contain the whole number of votes cast for each candidate of each political party for each candidate for each judicial,

Result
entered
on records.

school, county, or township office, for each candidate for delegate, if any, to a state convention from a hold-over senatorial district, and for each candidate for membership in the county central committee; *provided, however*, that in entering the statement of such result, the provisions of subdivision six of section one thousand two hundred eighty-two of the Political Code shall apply, and a duplicate as to each political party shall be delivered to the county, city and county or city chairman of such political party, as the case may be. The clerk shall also make an additional duplicate statement in the same form, showing the votes cast for each candidate not voted for wholly within the limits of such county or city and county. The county clerk or registrar of voters in any city and county shall forthwith send to the secretary of state by registered mail or by express one complete copy of all returns as to such candidates, and as to all candidates for the state assembly, state senate, representatives in congress, judicial officers, except justices of the peace, delegate, if any, to a state convention from a hold-over senatorial district, and as to all persons voted for at the May presidential primary election. The clerk shall also prepare a separate statement of the names of the candidates of each political party who have received the highest number of votes for the several offices to be voted for wholly within such county, city and county, or other political subdivision in which such primary election was held. The secretary of state shall, not later than the twenty-fifth day after any primary election, compile the returns for all candidates voted for in more than one county, and for all candidates for the assembly, state senate, representatives in congress, member of the state board of equalization, and judicial offices (except justices of the peace), delegate, if any, to a state convention from a hold-over senatorial district, and for all persons voted for at the May presidential primary election, and shall make out and file in his office a statement thereof. He shall compile the returns for the May presidential primary election not later than the twenty-first day after such election, and shall compile said returns in such a manner as to show, for each candidate, both the total of the votes received and the votes received in each congressional district of the state.

Returns to
secretary of
state.

Compila-
tion of
returns.

SEC. 15. Section twenty-three of said act is hereby amended to read as follows:

Sec. 23. Except in the case of a candidate for nomination to a judicial office, school office, county office, or township office, the person receiving the highest number of votes, at a primary election as the candidate for the nomination of a political party for an office shall be the candidate of that party for such office, and his name as such candidate shall be placed on the official ballot voted at the ensuing election; *provided*, he has paid the filing fee as required by section seven of this act.

Party
nominee.

In the case of a judicial office, school office, county office, or township office, the candidates equal in number to twice the

Nonpartisan
nominee.

Candidate
receiving
majority
vote.

Certificates
of
nomination.

number to be elected to such office (or less, if the total number of candidates is less than twice the number of offices to be filled) who receive the highest number of the votes cast on all the ballots of all the voters participating in the primary election for nomination to such office, shall be the candidates for such office at the ensuing election, and their names as such candidates shall be placed on the official ballot voted at the ensuing election; *provided, however*, that in case there is but one person to be elected at the November election to any judicial, school, county, or township office, any candidate who receives at the August primary election a majority of the total number of votes cast for all the candidates for such office shall be the only candidate for such office whose name shall be printed on the ballot at the ensuing election; *and provided, further*, that in case there are two or more persons to be elected at the November election to any judicial, school, county, or township office, and in case any candidates for such office receive at the August primary election the votes of a majority of all the voters participating in the primary election in the state or political subdivision in which said office is voted upon (such candidates being herein designated as "majority candidates"), said "majority candidates" shall, if their number is not less than the number of persons to be elected to such office, be the only candidates for such office whose names shall be printed on the ballot at the ensuing November election; and if the number of such "majority candidates" falls short of the number of persons to be elected to such office, the names of said "majority candidates" shall be printed on the ballot at the ensuing November election, together with such number of additional names only of such other candidates receiving the next highest number of votes for nomination to such office as may equal twice the number to be elected to such office less twice the number of "majority candidates" (or a smaller number, if the list of said other candidates is exhausted). Of the candidates for election to membership in the county central committee, the candidates equal in number to the number to be elected receiving the highest number of votes in their supervisorial district or assembly district, as the case may be in accordance with the provisions of subdivision four of section twenty-four of this act, shall be declared elected as the representatives of their district to membership in such committee. It shall be the duty of the officers charged with the canvass of the returns of any primary election in any county, city and county or municipality to cause to be issued official certificates of nomination to such party candidates (other than congressional and legislative candidates, candidates for the state board of equalization, and delegates to the state convention from a hold-over senatorial district), as have received the highest number of votes as the candidates for the nomination of such party for any offices to be voted for wholly within such county, city and county, or municipality, and cause to be issued to each member of a county

central committee a certificate of his election; and to cause to be issued official certificates of nomination to such candidates for judicial, school, county, or township office as may be entitled to nomination under the provisions of this section. It shall be the duty of the secretary of state to issue official certificates of nomination to candidates nominated under the provisions of this act for representatives in congress, members of the state senate and assembly, members of the state board of equalization, and officers voted for in more than one county; and to issue a certificate of election to each delegate elected to the state convention from a hold-over senatorial district; and to issue certificates of election to all persons elected at the May presidential primary election as delegates to their respective national party conventions.

Not less than thirty days before the November election the secretary of state shall certify to the county clerks or registrars of voters of each county and city and county within the state, the name of every person entitled to receive votes within such county or city and county at said November election who has received the nomination as a candidate for public office under and pursuant to the provisions of this act, and whose nomination is evidenced by the compilation and statement required to be made by said secretary of state and filed in his office, as provided in section twenty-two of this act. Such certificates shall in addition to the names of such nominees respectively, also show separately and respectively for each nominee the name of the political party or organization which has nominated such person if any and the designation of the public office for which he is so nominated.

Persons
entitled to
receive votes
at November
election.

SEC. 16. Section twenty-four of said act is hereby amended to read as follows:

Sec. 24. 1. Party conventions of delegates chosen as hereinafter provided may be held in this state, for the purpose of promulgating platforms and transacting such other business of the party as is not inconsistent with the provisions of this act.

Party
conventions.

2. The candidates of each political party for congressional offices and for state offices, if any, except judicial and school offices, and such candidates for senate and assembly as have been nominated by such political party at the primary election, and in whose behalf nomination papers have been filed, together with one delegate chosen by such political party from each senatorial district represented by a hold-over senator, shall meet in a state convention at the state capitol at two o'clock in the afternoon of the third Tuesday in September after the date on which any primary election is held preliminary to the general November election. They shall forthwith formulate the state platforms of their party, which said state platform of each political party shall be framed at such time that it shall be made public not later than six o'clock in the afternoon of the following day. They shall also proceed to

State
convention.

State
platforms.

State
central
committee.

Electors of
president.

Who may
not be
member.

Membership
credentials.

Delegate
from
hold-over
senatorial
district.

Filling
vacancies.

elect a state central committee to consist of at least three (3) members from each congressional district, who shall hold office until a new state central committee shall have been selected. In each year of the general November election at which electors of president and vice president of the United States are to be chosen, they shall also nominate as the candidates of their party as many electors of president and vice president of the United States as the state is then entitled to, and it shall be the duty of the secretary of state to issue certificates of nomination to the electors so nominated, and to cause the names of such candidates for elector to be placed upon the ballots at the ensuing November election.

Membership in the state convention shall not be granted to a party nominee for a congressional office, state office, or office of senator or assemblyman who has become such by reason of his name having been written on a ballot, and who has not had his name printed on the primary ballot by having had a nomination paper filed in his behalf, as provided in section five of this act; nor shall membership in such convention be granted to the nominee of any party if such nominee has not, at the primary election at which he was nominated, declared his intention to affiliate with such party at the ensuing November election; and, in every such case, a vacancy in the membership of such convention shall be deemed to exist; and any such vacancy thereby existing, or existing because no nomination for such office has been made, or for any other cause, shall be filled as hereinafter provided. Each candidate who has received the nomination of more than one party for a congressional, state, or legislative office shall procure from the county clerk of the county in which he resides, a certificate stating the party with which such candidate has affiliated, as shown by the roster in the custody of such county clerk; and this certificate shall be the credentials of such candidate to membership in the convention of his party.

In any senatorial district represented by a hold-over senator there shall be chosen at such primary election by the electors of every political party one delegate to the state convention, who shall have nomination papers circulated in his behalf, shall have his name placed upon the ballot, and shall be chosen in the same manner as a state senator is nominated from any senatorial district; but no such delegate shall be disqualified by reason of holding any office, nor shall any filing fee be required in order to have his name placed upon the ballot. The term "hold-over senator" as herein used shall apply to a state senator whose term of office extends beyond the first Monday in January of the year next ensuing after the primary election, and the term "hold-over senatorial district" shall apply to the district represented by such hold-over senator.

In the event that there shall not have been filed any nomination paper for a candidate for any congressional or state office or office of senator or assemblyman by the electors of any political party, or in the event that the nominee of any

party for such office has not declared his affiliation with such party, as herein provided, the vacancy thus created in the state convention of such party shall be filled as follows:

(a) If the vacancy occurs in a senatorial or assembly district situated wholly within the limits of a single county or city and county, by appointment by the newly elected county central committee of such party in such county or city and county.

(b) If the vacancy occurs in a senatorial or assembly district comprising two or more counties, by appointment by the newly selected chairmen of the several newly elected county central committees of such party in such counties.

(c) If the vacancy occurs in a congressional or state office, by appointment by the state central committee of such party.

Such delegate so appointed shall present to the convention credentials signed by the chairman and the secretary of the appointing committee, or by the appointing chairmen of the several committees, as the case may be.

3. Each state central committee may select an executive committee, to which executive committee it may grant all or any portion of its powers and duties. It shall choose its officers by ballot and each committee and its officers shall have the power usually exercised by such committees and the officers thereof in so far as may be consistent with this act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act.

4. At each August primary election there shall be elected in each county or city and county a county central committee for each political party, which shall have charge of the party campaign under general direction of the state central committee or of the executive committee selected by such state central committee. In all counties or cities and counties containing five or more assembly districts the county central committee of such party shall be elected by assembly districts and shall consist of one member for each seven hundred votes or fraction thereof in each such assembly district cast for such party's candidate for United States senator at the last general election at which a United States senator was elected. In all counties containing less than five assembly districts the county central committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: the number of votes cast in such supervisor district for such party's candidate for United States senator at the last general election at which such senator was elected shall be divided by one-twentieth of the number of votes cast for such senator in such county; and the integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by such party in said supervisor district. The county clerk or registrar of voters in each county or city and county shall, between the first Monday and the second Monday of June next preceding the primary election, compute the number of members

of the county central committee allotted to each assembly district or supervisor district, as the case may be, by the provisions of this subdivision. Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of section five of this act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided; and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes shall be declared elected. Each county central committee shall meet in the court house at its county seat on the second Tuesday in September following the August primary election, and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party.

SEC. 17. Section twenty-five of said act is hereby amended to read as follows:

Withdrawal
of candidate.

Sec. 25. In case as a result of any primary election a person has received a nomination to any elective office without first having nominating papers filed, and having his name printed on the primary election ballot, he may at least thirty days before the day of election cause his name to be withdrawn from nomination by filing in the office where he would have filed his nominating papers had he been a candidate for nomination, his request therefor in writing, signed by him and acknowledged before the county clerk of the county in which he resides, and no name so withdrawn shall be printed on the election ballot for the ensuing general election. The vacancy created by the withdrawal of such person as aforesaid, or on account of the ineligibility of such person to qualify as a candidate because of the inhibitions of subdivision eight of section five of this act shall not be filled. In all other cases vacancies occurring after the holding of any primary election may be filled by the party committee of the city, county, city and county, or state, as the case may be, unless such vacancy occurs among candidates chosen at the primary election to go on the ballot for the succeeding general election for a judicial, school, county, or township office according to the provisions of section twenty-three of this act, in which case that candidate receiving at said primary election the highest vote among all the candidates for said office who have failed to receive a sufficient number of votes to get upon said ballot according to the provisions of said section twenty-three, shall go upon said ballot to fill said vacancy; *provided, however*, that if the vacancy occurs in a case where, by reason of having received a majority vote at the primary election, only one person is entitled to have his name printed upon the ballot at the ensuing November election, the names of the two candidates receiving the next highest vote at the primary election (if there were such number) shall be placed upon the ballot for the November election.

Filling of
vacancies.

SEC. 18. Section twenty-eight of said act is hereby amended to read as follows:

Sec. 28. Any candidate at a primary election, desiring to contest a nomination of another candidate for the same office, may, within five days after the completion of the official canvass, file an affidavit in the office of the clerk of the superior court of the county in which he desires to contest the vote returned from any precinct or precincts in such county, and thereupon have a recount of the ballots cast in any such precinct or precincts, in accordance with the provisions of this section. Such affidavit must specify separately each precinct in which a recount is demanded, and the nature of the mistake, error, misconduct, or other cause why it is claimed that the returns from such precinct do not correctly state the vote as cast in such precinct, for the contestant and the contestee. The contestee must be made a party respondent, and so named in the affidavit. No personal service or other service than as herein provided need be made upon the contestee. Upon the filing of such affidavit the county clerk shall forthwith post in a conspicuous place in his office a copy of the affidavit. Upon the filing of such affidavit and the posting of the same, the superior court of the county shall have jurisdiction of the subject matter and of the parties to such contest, and all candidates at any such primary election are permitted to be candidates under this act, only upon the condition that such jurisdiction for the purposes of the proceeding authorized by this section shall exist in the manner and under the conditions provided for by this section. The contestant on the date of filing such affidavit, must send by registered mail a copy thereof to the contestee in a sealed envelope, with postage prepaid, addressed to the contestee at the place of residence named in the affidavit of registration of such contestee, and shall make an affidavit of such mailing and file the same with the county clerk to become a part of the records of the contest. At any time within three days after the filing of the affidavit of the contestant to the effect that he has sent by registered mail a copy of the affidavit to the contestee, such contestee may file with the county clerk an affidavit in his own behalf, setting up his desire to have the votes counted in any precincts, designating them, in addition to the precincts designated in the affidavit of the contestant, and setting up his grounds therefor. On the trial of the contest all of the precincts named in the affidavits of the contestant and the contestee shall be considered, and a recount had with reference to all of said precincts; and the contestant shall have the same right to answer the affidavit of the contestee as is given to the contestee herein with reference to the affidavit of the contestant except that such answer must be filed not later than the first day of the trial of said contest. On the eighth day after the completion of the official canvass the county clerk shall present the affidavits of the contestant and the contestee and proof of posting, as aforesaid, to the judge of the superior court of the county, or any

Contest of nomination.

Jurisdiction in superior court.

Contestee's affidavit.

Affidavits presented.

Time and
place for
hearing.

Duty of
contestee.

No
demurrer.

Additional
judges.

judge acting in his place, or the presiding judge of the superior court of a county or city and county, or any one acting in his stead, which judge shall, upon such presentation, forthwith designate the time and place where such contest shall proceed, and in counties or cities and counties where there are more than one superior judge, assign all the cases to one department by the order of such court. Such order must so assign such case or cases, and fix such time and place for hearing, which time must not be less than one nor more than three days from the presentation of the matter to the court by the county clerk as herein provided. It shall be the duty of the contestee to appear either in person or by attorney, at the time and place so fixed, and to take notice of the order fixing such time and place from the records of the court, without service. No special appearance of the contestee for any purpose except as herein provided shall be permitted, and any appearance whatever of the contestee or any request of the court by the contestee or his attorney, shall be entered as a general appearance in the contest. No demurrer or objection can be taken by the parties in any other manner than by answer, and all the objections must be contained in the answer. The court if the contestee shall appear, must require the answer to be made within three days from the time and place as above provided, and if the contestee shall not appear shall note his default, and shall proceed to hear and determine the contest with all convenient speed. If the number of votes which are sought to be recounted, or the number of contests are such that the judge shall be of opinion that it will require additional judges to enable the contest or contests to be determined in time to print the ballots for the election, if there be only one judge for such county, he may obtain the service of any other superior judge, and the proceedings shall be the same as herein provided in counties where there is more than one superior court judge. If the proceeding is in a county or city and county where there is more than one superior court judge, the judge to whom the case or cases shall be assigned, shall notify the presiding judge forthwith, of the number of judges which he deems necessary to participate, in order to finish the contest or contests in time to print the ballots for the final election, and the said presiding judge shall forthwith designate as many judges as are necessary to such completion of such contest, by order in writing, and thereupon all of the judges so designated shall participate in the recount of such ballots and the giving of judgment in such contest or contests in the manner herein specified. The said judges so designated by said last mentioned order, including the judge to whom said contests were originally assigned, shall convene upon notice from the judge to whom such contest or contests were originally assigned, and agree upon the precincts which each one of such judges will recount, sitting separately, and thereupon such recount shall proceed before each such judge sitting separately, as to the precincts so arranged, in such manner that the recount shall

be made in such precincts before each such judge as to all the contests pending, so that the ballots opened before one judge need not be opened before another judge or department, and the proceedings before such judge in making such recount as to the appointment of the clerk and persons necessary to be assistants of the court in making the same, shall be the same as in contested elections, and the judge shall fix the pay or compensation for such persons, and require the payment each day in advance of the amount thereof, by the person who is proceeding with and requiring the recount of the precinct being recounted. When the recount shall have been completed in the manner herein required, if more than one judge has taken part therein, all the judges who took part shall assemble and make the decision of court, and if there be any differences of opinion, a majority of such judges shall finally determine all such questions, and give the decision or judgment of the court in such contest or contests, separately. Such decision or judgment of the court shall be final in every respect, and no appeal can be had therefrom. The judgment shall be served upon the county clerk or registrar of voters by delivery of a certified copy thereof, and may be enforced summarily in the manner provided in section twenty-seven of this act, and if the contest proceeds in more than one county, and the nominee is to be certified by the secretary of state from the compilation of election returns in his office, then the judgment in each county in which a contest may be had shall show what, if any changes in the returns in the office of the secretary of state relating to such county or city and county, ought to be made, and all such judgments shall be served upon the secretary of state, by the delivery of a certified copy, and he shall make such changes in the record in his office as such judgment or judgments require, and conform his compilation and his certificate of nomination in accordance therewith. If the office contested is one to be voted upon in more than one county, the time within which such contest may be brought in any county involved shall begin to run at the time of the declaration of the official canvass by the board of supervisors of the county last making such declaration.

Clerks and assistants.

Decision of court.

Service of judgment.

Sec. 19. Section thirty of said act is hereby amended to read as follows:

Sec. 30. Every person who shall be a candidate for nomination to any elective office, shall make in duplicate, within fifteen days after the primary election, a verified statement, setting forth each and every sum of money contributed, disbursed, expended or promised by him, and, to the best of his knowledge and belief, by any and every other person or association of persons in his behalf wholly or partly in endeavoring to secure his nomination. This statement must show in detail all moneys paid, loaned, contributed, or otherwise furnished to him directly or indirectly in aid of his nomination, together with the name of the person or persons from whom such moneys were received; and must also show in detail, under

Statement of election expenses.

each of the subdivisions of section twenty-nine of this act, all moneys contributed, loaned, or expended by him directly or indirectly by himself or through any other person, in aid of his nomination, together with the name of the person or persons to whom such moneys were paid, or disbursed. Such statement must set forth that the affiant has used all reasonable diligence in its preparation, and that the same is true and is as full and explicit as he is able to make it. Within the time aforesaid the candidate shall file one copy of said statement with the officer with whom his nomination papers were filed, and the other with the recorder of the county or city and county in which he resides, who shall record the same in a book to be kept for that purpose, and to be open to public inspection. No officer shall issue any certificate of nomination to any person until such statement as herein provided has been filed and no other statement of expenses shall be required except that provided herein, and no fee or charge whatsoever shall be made or collected by any officer for the verifying, filing, or recording of such statements or a copy thereof.

SEC. 20. Section thirty-three of said act is hereby amended to read as follows:

Preparation
of forms.

Sec. 33. It shall be the duty of the secretary of state and the attorney general to prepare on or before May 1, 1916, all forms necessary to carry out the provisions of this act, which forms shall be substantially followed in all primary elections held in pursuance hereof.

CHAPTER 2.

An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

SECTION 1. Section three of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political

parties for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, is hereby amended to read as follows:

Sec. 3. The names of persons to be voted upon as delegates to the respective national conventions of the several political parties shall be printed upon the ballots of their respective parties upon the filing of nomination papers substantially as provided in the direct primary law; *provided, however,* that the only party test that shall be required of each of the five qualified electors provided for in subdivision two (b) of section five of said direct primary law shall be a declaration on his part in the document by which verification deputies are appointed that it is his intention to affiliate at the ensuing primary election with that political party for nomination by which he is proposing a candidate or group of candidates for delegates; *and provided, also,* that the only party test that shall be required of each of the signers of the nomination paper of any candidate or group of candidates for delegate shall be a declaration by him made in such nomination paper that it is his intention to affiliate at the ensuing primary election with that political party for nomination by which he is signing such nomination paper, and that he has not signed the nomination paper of said candidate or group of candidates, or any other candidate or group of candidates, as candidate or group of candidates of any other party at said primary election; *provided,* that, in the case of each party, nomination papers for candidates for delegates must be signed by the same number of electors as is required on the nomination paper of a candidate for United States senator; *and provided, also,* that whenever a candidate for delegate files a statement with the secretary of state, as hereinafter provided in this section, wherein as a delegate he enrolls himself with other delegates in expressing his preference for the same person as candidate for presidential nominee, there may be nominated by the same nomination paper the names of all such candidates for delegates who are included in such statement as have individually filed similar statements with the secretary of state. The form of nomination paper as set forth in section five of said direct primary law shall be changed for this purpose by substituting, in the appropriate place, for the name of a single candidate, as follows: "hereby nominate the following:

Delegates
to national
conventions.

Party test.

Number of
signers
required.

When
delegates
prefer same
candidate.

Names.	Residence City or Town.	County.	Number Congressional District.
1. -----	-----	-----	-----
2. -----	-----	-----	-----
3. -----	-----	-----	-----

(to 26 names, or such other number as may be required) as candidates for delegate to the ----- national party.

convention, to be voted for at the primary election to be held on the ----- day of May, 19--," and by making such other changes in said form as may be necessary. The verification deputies to obtain signatures on the nomination paper for such group of candidates for delegate may be appointed, either according to the provisions of subdivision two (a) of section five of said direct primary law, by said candidates for delegate joining together in the appointment of said deputies; or according to the provisions of subdivision two (b) of said section five, by the "five registered qualified electors" appointing said deputies to obtain signatures for the nomination of all of said candidates whose names are grouped together on the same nomination papers; *provided, however*, that the number of such candidates for delegate shall not be greater than the total number of delegates to be elected by said party; *and provided, further*, that the names of such candidates thus grouped together shall be so selected that the smallest number of such candidates who shall reside in any one congressional district shall be no less than the integer of the quotient obtained by dividing the number of the names of such candidates appearing upon the same nomination paper by the total number of congressional districts of the state, and that the largest number of such candidates who shall reside in any one congressional district shall be no greater than twice said integer; and if not so selected said names shall not be grouped together on the ballot, but shall appear as individuals.

Names
grouped
on ballot.

Endorse-
ment by
candidate.

Candidates for delegate grouped together on the same nomination paper and selected as aforesaid shall be similarly grouped, in the same order of names, upon the ballots of their party; *provided*, that such group of candidates for delegate has the endorsement of that candidate for presidential nominee for whom the members of said group have filed a preference, or the endorsement of such a state political organization created in support of the candidacy of said presidential nominee as shall not be repudiated by him as lacking authority to make such endorsement; said endorsement, either of the candidate or of the organization supporting him, to be filed with the secretary of state. No candidates for delegate not thus endorsed shall have their names printed upon the ballot in a group, but such candidates must appear as individuals; *and further provided*, that the name of no candidate shall appear more than once on the ballot, and that any candidate whose nomination paper is filed in more than one group, or in the same group differently arranged, shall have his name printed on the ballot as a part of that group which has had first filed the endorsement as herein recited; *provided*, that one of the groups in which his name occurs has received such endorsement. Each candidate for election as delegate to his national party convention must file with the secretary of state not later than the time of filing of the nomination papers containing his name, an affidavit substantially as provided in section five of the

"direct primary law," and may also include with his affidavit the following statement:

DELEGATE'S STATEMENT.

"I personally prefer ----- as nominee of my -----
political party for president of the United States, and hereby
declare to the voters of my party in the State of California
that if elected as delegate to their national party convention,
I shall, to the best of my judgment and ability, support said
----- as nominee of my party for president
of the United States" (filling in the blanks by inserting his
choice for such nominee). But the neglect or failure of any
candidate to include any statement of preference for presi-
dential nominee shall not be a valid ground on the part of the
secretary of state for refusal to receive and file the nomination
paper containing his name. Delegate's
statement
of
preference.

However, each candidate for delegate whose name is filed
upon a nomination paper together with the names of other
candidates, as hereinbefore in this section provided, in order
to have his name printed upon the ballot in a group with such
other names, must file such statement of preference, and shall
add to it the following:

"And I hereby enroll myself in the expression of preference
for said ----- for presidential nominee, as one of
the following named candidates for delegate: Additional
statement.

Etc.

(the blanks immediately following the word 'delegate' being
filled in by the printed or typewritten names of all the can-
didates for delegate, including the signer, whose names appear
upon the same nomination paper in accordance with the pro-
visions of this section).

(Signed) -----."

SEC. 2. Section six of said act is hereby amended to read
as follows:

Sec. 6. For purposes of the May presidential primary elec-
tion only the new registration, beginning on January 1st of
the year in which such May presidential primary election is
held, shall be used. Any person registered in accordance with
the provisions of this section and of section one thousand
ninety-six of the Political Code and who, on asking for his
party ballot at the polls, writes, or has written, and declares
his political affiliation as in this section provided shall be qual-
ified to vote at such election. On writing his name or having it
written for him on the roster, as provided by law for general
elections in this state, he shall likewise write or have written
upon the roster the name of the political party with which he
intends to affiliate in voting for candidates for office at the next
ensuing November election. He shall then, in an audible tone Registra-
tion used.

Declaration
of political
affiliation.

of voice, declare to the election officer from whom he receives his ballot the name of such political party with which he intends to affiliate, and the clerk whose duty it is, according to law, to write the name of the elector on the poll list, shall also write opposite such name the name of said political party with which the elector declares it his intention to affiliate. Thereupon said elector shall be given the ticket of that political party only with which he thus declares himself affiliated, and he shall be permitted to vote only such ticket. Any person qualified by the provisions of this section to vote at any May presidential primary election shall also be qualified to sign the nomination papers of any person to be voted upon at such primary election.

SEC. 3. Section nine of said act is hereby amended to read as follows:

Direct
primary law
to govern.

SEC. 9. The provisions of the direct primary law shall govern the May presidential primary election in so far as said provisions are applicable to said election and are not inconsistent with or in conflict with the provisions of this act.

SEC. 4. A new section is hereby added to said act, to be numbered section thirteen, and to read as follows:

Election
called.

SEC. 13. The first May presidential primary election to be held under the provisions of this act shall be held on the second day of May, 1916, and a presidential primary election to be held on the said second day of May, 1916, is hereby called and provided for.

In effect
immediately.

SEC. 5. This act, inasmuch as it calls an election and provides the procedure therefor, shall, under the provisions of article four, section one of the constitution, take effect immediately.

CHAPTER 3.

An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

San Fran-
cisco
authorized
to close
streets for
normal
school.

SECTION 1. The city and county of San Francisco is hereby authorized to close and abandon such public streets, or parts of public streets, within such portion of the grounds heretofore occupied by the Panama-Pacific International Exposition in said city and county as shall hereafter be selected and purchased as a site for the uses and purposes of the San Francisco State Normal School and to transfer title thereto to the State of California for the uses and purposes of said state normal school.

CHAPTER 4.

An act to authorize and empower the board of trustees of the San Francisco state normal school to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

SECTION 1. The board of trustees of the state normal school at San Francisco is hereby authorized and empowered to sell or exchange on such terms as may be determined by said board of trustees, with the written approval of the state board of control and of the governor, all lands and the buildings thereon of the said state normal school at San Francisco situated in the block bounded by Waller, Hermann, Buchanan and Laguna streets in the city of San Francisco. Notice of the time and place of said sale or exchange and the terms and conditions thereof, which the said board of trustees is hereby authorized to make, shall be published in one daily newspaper printed and published in the city of San Francisco for at least two weeks prior to the appointed day of sale or exchange. The said board of trustees is hereby authorized and empowered to reject any and all bids and offers therefor, to continue the day of sale from time to time as may be necessary, and to appoint another day of sale or exchange, public notice of which shall be given for two weeks in one daily newspaper published in the city and county of San Francisco. The said board of trustees is hereby authorized and empowered, subject to the approval of the state board of control, to order and have made all necessary deeds and conveyances, papers and searches, abstracts and certificates of title and surveys of said lands and to take all necessary and proper proceedings and bring the necessary suits to cure all defects in said title, the cost and expense thereof shall be paid out of the fund in this act created.

S. F.
normal
trustees
authorized
to sell
grounds.

SEC. 2. The president and secretary of the board of trustees of said school, or any one or more of said trustees to be designated by said board, are hereby authorized and directed to execute to the purchaser for or on behalf and in the name of the State of California, a deed of said lands and buildings in the usual form and to deliver the same upon the payment of

Execution
of deed.

the full amount of the purchase price or of the full consideration exchanged therefor, and the said deed shall effectually pass and convey to the said purchaser all the right, title and interest of the State of California in and to the said lands and buildings.

Disposition
of funds
received.

SEC. 3. Moneys received from the sale of said lands shall be paid into the state treasury and kept in a fund which is hereby created and which shall be known as "The San Francisco State Normal School-Exposition Preservation Fund," to be expended as provided by law. The board of trustees of the state normal school at San Francisco is hereby authorized and empowered to examine the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition or any corporation or individual representing or acting for or in conjunction with said exposition, and to select therefrom a new and suitable site for said school and to acquire by purchase, gift, condemnation or otherwise for and on behalf of the State of California the necessary lands and structures; and the lands so selected and purchased shall be and remain the site of the state normal school at San Francisco until otherwise provided by law; *provided*, that in the purchase of a new site and in constructing and equipping said new normal school buildings the total expenditure shall not exceed in amount the sums appropriated from the San Francisco State Normal School-Exposition Preservation Fund.

Site
selected.

SEC. 4. The site to be selected and purchased by said board of trustees shall consist of not less than ten acres, and shall include the ground upon which now stands the building known as the "California Building," and such other land as in the judgment of the said board may be necessary or proper in connection with the conduct and management of said school. The title to all property acquired by said board of trustees in pursuance of the provisions of this act shall be taken in the name of the State of California.

Condemna-
tion
proceedings
authorized.

SEC. 5. Upon written notice to the attorney general of the State of California from said board of trustees, that certain real property within the proposed site can not be obtained from the owner or owners thereof for a reasonable consideration, the attorney general shall commence in the name of the State of California, and prosecute to final judgment, condemnation proceedings for the acquisition of such property.

Improvement
and
buildings.

SEC. 6. The said board is hereby authorized and empowered to improve the said new site in a manner suitable for its intended uses, to erect and construct thereon all buildings and other structures and improvements necessary and proper for said school, to alter any existing structures on said site to make same adaptable for school purposes. The said board is also authorized and empowered to provide and purchase such furniture, fixtures, apparatus and other things as may be required for the proper equipment of said buildings and grounds for conducting said normal school.

SEC. 7. All obligations incurred under the provisions of this act shall be payable from the fund herein created and known as "The San Francisco State Normal School-Exposition Preservation Fund." There is hereby appropriated out of any moneys in said fund or to be deposited therein, the sum of two hundred thousand dollars, to be expended by said board of trustees in accordance with the provisions of this act.

Appropriation.

CHAPTER 5.

An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

SECTION 1. The Panama-Pacific International Exposition Commission of the State of California is hereby authorized to accept and receive from the Panama-Pacific International Exposition Company the returns accruing to the State of California from the holding of the Panama-Pacific International Exposition.

Returns accruing to state from P. P. I. E.

SEC. 2. On the receipt of said returns the said commission shall promptly make a full report thereof to the state controller and deposit said returns with the state treasurer, who shall place the first two hundred thousand dollars deposited to the credit of "The San Francisco State Normal School-Exposition Preservation Fund," and the next fifty thousand dollars thereof to the credit of a fund known as "The Panama-California International Exposition Fund," which fund is hereby created, and the remainder thereof to the credit of the general fund.

Disposition of funds.

CHAPTER 6.

An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

SECTION 1. Section one of an act of the legislature of the State of California, entitled "An act giving and granting to the board of park commissioners of the city of San Diego the

right to use and the right to authorize the use of Balboa park in said city for exposition purposes," approved March 24, 1911, is hereby amended to read as follows:

Use of Balboa park for exposition purposes.

Section 1. The board of park commissioners of the city of San Diego, California, is hereby authorized and empowered to use, or authorize any exposition company to use any part or portion of the lands set aside as a public park by resolution of the board of trustees of the city of San Diego and approved and ratified by an act of the legislature of the State of California, approved February 4, 1870, for the purpose of giving an exposition in the years 1915 and 1916 to celebrate the completion of the Panama Canal.

CHAPTER 7.

An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California state building at the Panama-California International Exposition.

[Approved January 11, 1916.]

The people of the State of California do enact as follows:

Appropriation for repair of California building at San Diego.

SECTION 1. The sum of fifty thousand dollars is hereby appropriated out of the Panama-California International Exposition fund for the purpose of the completion, maintenance and repair of the California state building at the Panama-California International Exposition, at San Diego. The expenditure of said sum of money so appropriated shall be under the exclusive charge and control of the Panama-California exposition commissioners.

Exempt from Pol. C. sec. 672.

SEC. 2. This act is exempt from the provisions of section six hundred seventy-two of the Political Code of the State of California and from the provisions of an act entitled "An act to regulate contracts on behalf of the state in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the state in relation to erections and buildings,' approved March 28, 1876, approved March 22, 1909."

CONCURRENT AND JOINT RESOLUTIONS.

CHAPTER 1.

Senate Concurrent Resolution No. 1, relative to adoption of joint rules.

[Filed with Secretary of State January 11, 1916.]

Resolved by the senate, the assembly concurring, That the joint rules of the assembly and senate of the legislature of the State of California adopted at the forty-first regular session be and they are hereby adopted as the joint rules of the assembly and senate of said legislature for this extraordinary session. Joint rules adopted.

CHAPTER 2.

Senate Concurrent Resolution No. 2, relative to the celebration by the people of Marin county of the landing of Drake's armada on the shores of California.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The people of Marin county on May nineteenth, twentieth, and twenty-first of this year (which dates are provisional) will celebrate the landing of Drake's armada upon the shores of California; and

WHEREAS, The resources of the region and of the State of California will be brought to the attention of the world by a series of flower games and by pageantry, displaying the customs, habits and activities of the people who are working out their destinies within the confines of California; and

WHEREAS, The history of the State of California will be depicted by a series of tableaux enacted by the descendants of those who made the state and who are its foremost citizens; and

WHEREAS, This celebration will be international in its scope and participation; and

WHEREAS, The celebration will be a memorable episode in the educational, cultural and economic history of the State of California: Therefore, be it

Resolved by the senate, the assembly concurring, That the legislature of the State of California hereby endorse this celebration by the people of Marin county and hereby recommend it to the good will of the citizens of the State of California; and be it further Celebration of Drake's landing endorsed.

Resolved, That the governor of the State of California be and is hereby authorized to proclaim this celebration to the citizens of the State of California; and be it further Governor's proclamation.

Resolved, That the governor of the State of California be and is hereby authorized to proclaim the celebration to the governments of the other states in the union and invite their participation; and be it further

Aid of
state de-
partments.

Resolved, That the officials and officers of the various departments of the government of the State of California be and hereby are authorized and directed to give such aid, assistance and help to the people of Marin county in planning and organizing their celebration as may come within the scope of their respective departments; and be it further

"Marin
flower
pageant."

Resolved, That the celebration by the people of Marin county known as the "Marin Flower Pageant" be and hereby is authorized by the legislature and the governor of the State of California.

CHAPTER 3.

Senate Concurrent Resolution No. 3, relative to the commission for relief in Belgium.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The commission for relief in Belgium has been and now is engaged in furnishing clothing and food to the destitute inhabitants of Belgium by and with the approval and consent of the civil and military authorities of England and Germany; and

WHEREAS, The great humanitarian work of that commission is strictly neutral, and, at the request of President Woodrow Wilson, many prominent men of the United States have accepted membership on the committee to raise funds in the United States: Now, therefore, be it

Belgian
relief work
endorsed.

Resolved by the senate of the State of California, the assembly concurring, That the humanitarian efforts of the commission for relief in Belgium in sending succor and relief for the destitute people of Belgium be and the same are hereby endorsed by the legislature of the State of California.

CHAPTER 4.

Senate Concurrent Resolution No. 4, relative to adjournment sine die.

[Filed with Secretary of State January 11, 1916.]

Adjourn-
ment

Resolved by the senate, the assembly concurring, That the forty-first (extra) session of the legislature of the State of California adjourn *sine die* at twelve o'clock noon, Tuesday, January eleventh, nineteen hundred sixteen.

CHAPTER 5.

Assembly Joint Resolution No. 1, relative to a petition to the secretary of the navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island navy yard.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The honorable secretary of the navy has, in recognition of the industry, zeal, efficiency and skill of the officials and mechanics of the Mare Island navy yard, comprising in the several ranks citizens of all sections of California, and of the splendid record made by such citizens in saving large sums of money for the federal government in the construction of vessels for the United States navy, thus showing the highest degree of civic patriotism, by assigning to that navy yard the construction of battleship No. 44, which is designed to be the equal of any war vessel afloat and which will, when completed, carry the American flag with honor to every section of the world and in so doing serve as an exemplar of the skill and fidelity of the workmen who will have contributed to her construction: Be it

Resolved by the assembly and the senate, jointly, That the honorable secretary of the navy be respectfully petitioned to change the name of battleship No. 40, now building at the New York naval station and designated as the "California," to some other appropriate name, that the name "California" may be assigned to battleship No. 44 which is to be constructed in this state, by the workmen of this state, and will ever prove a source of inspiration to the patriotism and pride of the people of California, by giving them a more direct interest in our navy, which constitutes the first line of the nation's defense; be it further

Petition
that name
"California"
be
assigned to
battleship
No. 44.

Resolved, That the thanks of the people of California be extended to the honorable secretary of the navy for the action showing his confidence in the capability of California workmen.

The chief clerk is directed to transmit copies of this joint resolution to the honorable secretary of the navy.

CHAPTER 6.

Assembly Joint Resolution No. 2, relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The State of California has made such provision as its resources allow for the proper care in public institutions of patients afflicted with tuberculosis of the lungs; and

WHEREAS, Many thousands of patients afflicted with tuberculosis come to this state from other states, many of whom become a charge on state and municipal funds; and

WHEREAS, There has been introduced in congress a bill providing federal aid for indigent non-resident tuberculosis patients cared for in hospitals which conform to the hygienic standard established by the United States treasury department: Now, therefore, be it

Federal aid
for
tuberculosis
patients
approved.

Resolved by the assembly and senate of the State of California, jointly, That we consider the proposed measure to be of the greatest importance to this state and to the whole nation and express the hope that it may become law at the present session of congress; and be it further

Resolved, That our senators and representatives in congress be and they are hereby requested to use all honorable means to expedite and secure the passage of said bill; be it further

Resolved, That the chief clerk of the assembly be and he is hereby directed to transmit a certified copy of these resolutions to the president and speaker respectively of the senate and house of representatives and to each of our senators and representatives in congress.

CHAPTER 7.

Assembly Joint Resolution No. 3, relative to the construction and maintenance of national military highways.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, There has been introduced in congress by the Hon. William D. Stephens of Los Angeles, a bill providing for the construction and maintenance of national military highways to be used in times of war for the mobilization of troops, and for the transportation of supplies and munitions; and

WHEREAS, The said bill contemplates the utilization of said highways for all highway purposes in times of peace, thus affording a great convenience and benefit to many sections, and all classes of citizens of the United States; and

WHEREAS, Said bill provides for the location of said highway across the northern and southern frontiers of our country and along the eastern and western coasts lines, all laterals of which are to be connected with strategic points from the interior; and

WHEREAS, The skill and energy of the engineers and the personnel of our standing army can be used profitably to the end that our country and our state will be greatly benefited; and

WHEREAS, The automobile has become a great factor in modern means of transportation, as is evidenced by their use in the warring nations of Europe; and

WHEREAS, Preparedness can not be complete without the utilization of motor vehicles, and a national highway system commensurate with the exigencies of a great war problem: Therefore, be it

Resolved, That the assembly and the senate jointly, of the State of California, do most earnestly urge the congress of the United States to adopt the said measure now pending before it; and be it further

Stephens' military highways bill endorsed.

Resolved, That a copy of these resolutions be sent to the Hon. Lindley M. Garrison, secretary of war, the Hon. William D. Stephens, and to His Excellency, Woodrow Wilson, president of the United States, as well as to our representatives in the senate and house of representatives of the United States of America.

CHAPTER 8.

Assembly Joint Resolution No. 4, relative to unemployment.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The United States Department of Labor has, during the past year, conducted an extensive system of labor exchanges, receiving eighty-eight thousand applications for work, fifty-seven thousand of which could not be filled; and

WHEREAS, The department, as a partial solution of the problem, has recommended in its third annual report that the public land tenure be so regulated as to insure to the settler the entire product of his labor through government retention of title, together with financial aid to such of the unemployed as may take up holdings on the public domain: Now, therefore, be it

Resolved by the assembly and senate of the State of California, jointly, That we do hereby endorse the proposed plan as eminently practicable and as marking definite progress toward the solution of the unemployment problem; and be it further

Plan endorsed for relief of unemployment.

Resolved, That the chief clerk of the assembly be and he hereby is instructed to forward a copy of these resolutions to the United States secretary of labor.

CHAPTER 9.

Assembly Concurrent Resolution No. 2, relative to inviting justices of the supreme court and of the district courts of appeal, judges of the superior courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this state.

[Filed with Secretary of State January 11, 1916.]

WHEREAS, The practice of appealing to the district courts of appeal and to the supreme court of the State of California has increased so rapidly that an action appealed from the superior courts is not ordinarily determined for a period of at least two years after such appeal is taken from the superior court; and

WHEREAS, A litigant against whom a judgment has been obtained in the superior court, by taking an appeal to a higher court, without regard to the merits of the case, may unnecessarily and unreasonably delay, and in many instances actually defeat, the ends of justice; and

WHEREAS, Such delay and uncertainty as to the rights of litigants and prospective litigants is destructive both of individual rights and of that respect and obedience to the law which is the desideratum of good government: Therefore, be it

Bench and bar invited to submit recommendations to avoid legal delays.

Resolved by the assembly, the senate concurring, That the justices of the supreme court, the justices of the district courts of appeal, and the judges of the superior courts of the State of California, the California Bar Association, and the bar associations of the various counties be, and they hereby are, invited and requested to submit to the legislature at its forty-second session such recommendations as they may consider necessary in order to avoid as far as possible the dilatory practices and delays hereinbefore set forth; and be it further

Resolved, That the chief clerk of the assembly be, and he is hereby, directed to send a copy of this resolution to each of the justices and judges of the various courts hereinbefore referred to, to the secretary of the California Bar Association and to the secretary of every county bar association in this state.

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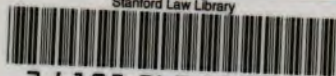
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